

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SERGIO LEMUS RODRIGUEZ,

Defendant.

4:18-CR-3076

ORDER

The defendant has filed a motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2), which permits the Court to lower a term of imprisonment that was based on a sentencing range that has subsequently been reduced by the Sentencing Commission. [Filing 89](#). The defendant does not explain why he thinks his sentencing guidelines range was changed. *See filing 89*. Nor does the only retroactive amendment since he was sentenced—U.S.S.G. Amend. 821, made retroactive by U.S.S.G. Amend. 825—provide him with any relief, because he was sentenced to the statutory mandatory minimum. *See filing 85*. His sentencing range can go no lower.

The defendant has also filed a "motion to correct record" asking the Court to change its records to reflect that his name is actually Sergio Rodriguez Oropza, not Sergio Lemus Rodriguez. [Filing 91](#). The defendant asserts that checking with the Social Security Administration will confirm it. But the defendant's name as reflected in the Court's caption came from the indictment. The Court is aware of nothing authorizing it to amend an indictment and other court records in a closed case on the defendant's say-so. Nor is the Court empowered to "check with" the Social Security Administration on its own

initiative. (Even assuming that Social Security records are necessarily any more authoritative than the Court's.)

IT IS ORDERED:

1. The defendant's motion to reduce sentence ([filing 89](#)) is denied.
2. The defendant's motion to correct record ([filing 91](#)) is denied.

Dated this 3rd day of July, 2024.

BY THE COURT:



John M. Gerrard
Senior United States District Judge